

# Senate Amendment 3073

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1 1 Amend Senate File 389 as follows:  
1 2 #1. By striking page 32, line 26, through page 34,  
1 3 line 15, and inserting the following:  
1 4 <Sec. \_\_\_\_\_. NEW SECTION. 509.3A CREDITABLE  
1 5 COVERAGE.  
1 6 For the purposes of any policies of group accident  
1 7 or health insurance or combination of such policies  
1 8 issued in this state, "creditable coverage" means  
1 9 health benefits or coverage provided to an individual  
1 10 under any of the following:  
1 11 1. A group health plan.  
1 12 2. Health insurance coverage.  
1 13 3. Part A or Part B Medicare pursuant to Title  
1 14 XVIII of the federal Social Security Act.  
1 15 4. Medicaid pursuant to Title XIX of the federal  
1 16 Social Security Act, other than coverage consisting  
1 17 solely of benefits under section 1928 of that Act.  
1 18 5. 10 U.S.C. ch. 55.  
1 19 6. A health or medical care program provided  
1 20 through the Indian health service or a tribal  
1 21 organization.  
1 22 7. A state health benefits risk pool.  
1 23 8. A health plan offered under 5 U.S.C. ch. 89.  
1 24 9. A public health plan as defined under federal  
1 25 regulations.  
1 26 10. A health benefit plan under section 5(e) of  
1 27 the federal Peace Corps Act, 22 U.S.C. } 2504(e).  
1 28 11. An organized delivery system licensed by the  
1 29 director of public health.  
1 30 12. A short-term limited duration policy.  
1 31 13. The hawk=i program authorized by chapter 514I.  
1 32 Sec. \_\_\_\_\_. Section 513B.2, subsection 8, Code 2009,  
1 33 is amended by adding the following new paragraph:  
1 34 NEW PARAGRAPH. m. The hawk=i program authorized  
1 35 by chapter 514I.  
1 36 Sec. \_\_\_\_\_. Section 514A.3B, subsection 1, Code  
1 37 2009, is amended to read as follows:  
1 38 1. An insurer which accepts an individual for  
1 39 coverage under an individual policy or contract of  
1 40 accident and health insurance shall waive any time  
1 41 period applicable to a preexisting condition exclusion  
1 42 or limitation period requirement of the policy or  
1 43 contract with respect to particular services in an  
1 44 individual health benefit plan for the period of time  
1 45 the individual was previously covered by qualifying  
1 46 previous coverage as defined in section 513C.3, by  
1 47 chapter 249A or 514I, or by Medicare coverage provided  
1 48 pursuant to Title XVIII of the federal Social Security  
1 49 Act that provided benefits with respect to such  
1 50 services, provided that the ~~qualifying previous~~  
2 1 coverage was continuous to a date not more than  
2 2 sixty-three days prior to the effective date of the  
2 3 new policy or contract. ~~Any days of coverage provided~~  
~~2 4 to an individual pursuant to chapter 249A or 514I, or~~  
~~2 5 Medicare coverage provided pursuant to Title XVIII of~~  
~~2 6 the federal Social Security Act, do not constitute~~  
~~2 7 qualifying previous coverage. Such days of chapter~~  
~~2 8 249A or 514I or Medicare coverage shall be counted as~~  
~~2 9 part of the maximum sixty-three-day grace period and~~  
~~2 10 shall not constitute a basis for the waiver of any~~  
~~2 11 preexisting condition exclusion or limitation period.~~  
2 12 Sec. \_\_\_\_\_. Section 514A.3B, Code 2009, is amended  
2 13 by adding the following new subsection:  
2 14 NEW SUBSECTION. 3. For the purposes of any  
2 15 policies of accident and sickness insurance issued in  
2 16 this state, "creditable coverage" means health  
2 17 benefits or coverage provided to an individual under  
2 18 any of the following:  
2 19 a. A group health plan.  
2 20 b. Health insurance coverage.  
2 21 c. Part A or Part B Medicare pursuant to Title  
2 22 XVIII of the federal Social Security Act.  
2 23 d. Medicaid pursuant to Title XIX of the federal  
2 24 Social Security Act, other than coverage consisting

2 25 solely of benefits under section 1928 of that Act.  
2 26 e. 10 U.S.C. ch. 55.  
2 27 f. A health or medical care program provided  
2 28 through the Indian health service or a tribal  
2 29 organization.  
2 30 g. A state health benefits risk pool.  
2 31 h. A health plan offered under 5 U.S.C. ch. 89.  
2 32 i. A public health plan as defined under federal  
2 33 regulations.  
2 34 j. A health benefit plan under section 5(e) of the  
2 35 federal Peace Corps Act, 22 U.S.C. } 2504(e).  
2 36 k. An organized delivery system licensed by the  
2 37 director of public health.  
2 38 l. A short-term limited duration policy.  
2 39 m. The hawk=i program authorized by chapter 514I.>  
2 40 #2. Page 35, by striking lines 22 through 34 and  
2 41 inserting the following:  
2 42 <NEW SUBSECTION. 6. Health care coverage provided  
2 43 under this chapter in accordance with Title XXI of the  
2 44 federal Social Security Act shall be recognized as  
2 45 prior creditable coverage for the purposes of private  
2 46 individual and group health insurance coverage.>  
2 47 #3. Page 47, by striking lines 4 through 27 and  
2 48 inserting the following:  
2 49 <a. (1) A health care workforce shortage fund is  
2 50 created in the state treasury as a separate fund under  
3 1 the control of the department of public health, in  
3 2 cooperation with the entities identified in this  
3 3 section as having control over the accounts within the  
3 4 fund. The fund and the accounts within the fund shall  
3 5 be controlled and managed in a manner consistent with  
3 6 the principles specified and the strategic plan  
3 7 developed pursuant to sections 135.163 and 135.164.  
3 8 (2) The fund and the accounts within the fund  
3 9 shall consist of moneys appropriated from the general  
3 10 fund of the state for the health care workforce  
3 11 support initiative; moneys received from the federal  
3 12 government for the purposes of addressing the health  
3 13 care workforce shortage; contributions, grants, and  
3 14 other moneys from communities and health care  
3 15 employers; and moneys from any other public or private  
3 16 source available.  
3 17 (3) The department of public health and any entity  
3 18 identified in this section as having control over any  
3 19 of the accounts within the fund may receive  
3 20 contributions, grants, and in-kind contributions to  
3 21 support the purposes of the fund and the accounts  
3 22 within the fund.>  
3 23 #4. Page 49, line 14, by inserting after the word  
3 24 <appropriated> the following: <in a manner consistent  
3 25 with the principles specified and the strategic plan  
3 26 developed pursuant to sections 135.163 and 135.164>.  
3 27 #5. Page 49, by striking lines 22 through 27 and  
3 28 inserting the following:  
3 29 <(2) State programs that may receive funding from  
3 30 the fund and the accounts in the fund, if specifically  
3 31 designated for the purpose of drawing down federal  
3 32 funding, are the primary care recruitment and>.  
3 33 #6. Page 50, line 2, by striking the word <and>.  
3 34 #7. Page 50, line 4, by inserting after the word  
3 35 <received> the following: <; and a program developed  
3 36 in accordance with the strategic plan developed by the  
3 37 department of public health in accordance with  
3 38 sections 135.163 and 135.164.>  
3 39 #8. Page 50, by striking lines 5 through 12 and  
3 40 inserting the following:  
3 41 <(3) State appropriations to the fund shall be  
3 42 allocated in equal amounts to each of the accounts  
3 43 within the fund, unless otherwise specified in the  
3 44 appropriation or allocation. Any federal funding  
3 45 received for the purposes of addressing state health  
3 46 care workforce shortages shall be deposited in the  
3 47 health care workforce shortage national initiatives  
3 48 account, unless otherwise specified by the source of  
3 49 the funds, and shall be used as required by the source  
3 50 of the funds. If use of the federal funding is not  
4 1 designated, the funds shall be used in accordance with  
4 2 the strategic plan developed by the department of  
4 3 public health in accordance with sections 135.163 and  
4 4 135.164, or to address workforce shortages as  
4 5 otherwise designated by the department of public

4 6 health. Other sources of funding shall be deposited  
4 7 in the fund or account and used as specified by the  
4 8 source of the funding.>  
4 9 #9. Page 50, line 28, by inserting after the word  
4 10 <education> the following: <or the American  
4 11 osteopathic association>.  
4 12 #10. Page 51, line 2, by inserting after the word  
4 13 <education> the following: <or the American  
4 14 osteopathic association>.  
4 15 #11. Page 51, line 7, by inserting after the word  
4 16 <education> the following: <or the American  
4 17 osteopathic association>.  
4 18 #12. Page 53, line 12, by striking the word  
4 19 <providers> and inserting the following: <employers>.  
4 20 #13. Page 53, line 21, by striking the word <loan>  
4 21 and inserting the following: <agreement for the  
4 22 incentive payment>.  
4 23 #14. Page 54, line 20, by striking the words  
4 24 <entity partner> and inserting the following:  
4 25 <employer>.  
4 26 #15. Page 54, line 21, by striking the word  
4 27 <entity> and inserting the following: <employer>.  
4 28 #16. Page 54, line 25, by striking the word  
4 29 <entity> and inserting the following: <employer>.  
4 30 #17. Page 55, line 11, by striking the word  
4 31 <partner>.  
4 32 #18. Page 55, line 12, by striking the word  
4 33 <partner> and inserting the following: <community or  
4 34 employer>.  
4 35 #19. Page 56, line 10, by striking the word  
4 36 <qualified> and inserting the following:  
4 37 <qualifying>.  
4 38 #20. Page 56, lines 24 and 25, by striking the  
4 39 words <advisory council> and inserting the following:  
4 40 <department of public health>.  
4 41 #21. By striking page 57, line 25, through page  
4 42 58, line 1, and inserting the following:  
4 43 <6. SAFETY NET PROVIDER RECRUITMENT AND RETENTION  
4 44 INITIATIVES PROGRAM. The department of public health  
4 45 in accordance with efforts pursuant to sections  
4 46 135.163 and 135.164 and in cooperation with the Iowa  
4 47 collaborative safety net provider network governing  
4 48 group as described in section 135.153, shall establish  
4 49 and administer a safety net provider recruitment and  
4 50 retention initiatives program to address the health  
5 1 care workforce shortage relative to safety net  
5 2 providers. Any program developed shall require a  
5 3 match by the recipient or sponsor of a recipient of at  
5 4 least twenty-five percent of any funds provided  
5 5 through the health care workforce shortage fund or the  
5 6 safety net provider network workforce shortage  
5 7 account. The department of public health in  
5 8 cooperation with the governing group shall adopt rules  
5 9 pursuant to chapter 17A to implement and administer  
5 10 such program.>  
5 11 #22. Page 58, by striking line 2 and inserting the  
5 12 following:  
5 13 <7. ANNUAL REPORT. The department of public  
5 14 health, in cooperation with the entities identified in  
5 15 this section as having control over any of the  
5 16 accounts within the fund shall submit an annual>.  
5 17 #23. Page 58, line 6, by inserting after the word  
5 18 <fund> the following: <and the accounts within the  
5 19 fund>.  
5 20 #24. Page 59, line 12, by inserting after the word  
5 21 <policies> the following: <, contracts, and plans>.  
5 22 #25. Page 59, line 14, by striking the words  
5 23 <insurance plans> and inserting the following:  
5 24 <insurers>.  
5 25 #26. Page 59, line 18, by inserting after the word  
5 26 <policies> the following: <, contracts, and plans>.  
5 27 #27. Page 59, line 19, by striking the words  
5 28 <insurance plan> and inserting the following:  
5 29 <insurer>.  
5 30 #28. Page 59, line 22, by striking the word <plan>  
5 31 and inserting the following: <insurer>.  
5 32 #29. Page 59, line 23, by striking the words  
5 33 <insurance plan> and inserting the following:  
5 34 <insurer>.  
5 35 #30. Page 59, by striking lines 25 and 26 and  
5 36 inserting the following: <feasible and efficacious,

5 37 and does not provide coverage under the health  
5 38 insurer's policies, contracts, or plans by January 1,  
5 39 2010, the health insurer>.  
5 40 #31. Page 59, line 30, by striking the words  
5 41 <insurance plan's> and inserting the following:  
5 42 <insurer's>.  
5 43 #32. By striking page 60, line 32, through page  
5 44 61, line 1, and inserting the following:  
5 45 <3. The department shall seek funding from  
5 46 nongovernmental health foundations or other nonprofit  
5 47 charitable foundations to establish and administer the  
5 48 program. Implementation of the program is subject to  
5 49 receipt of such funding. The department shall  
5 50 establish and collect fees from private payors for  
6 1 participation in the program. Fees received from  
6 2 private payors shall be deposited in the general fund  
6 3 of the state and the amounts received shall be  
6 4 appropriated to the department for the purposes of  
6 5 administering the program.>  
6 6 #33. Page 61, line 33, by inserting after the word  
6 7 <drugs,> the following: <biologics, or medical  
6 8 devices,>.  
6 9 #34. By striking page 65, line 13, through page  
6 10 66, line 28.  
6 11 #35. Page 69, line 25, by striking the word  
6 12 <transferred> and inserting the following:  
6 13 <transferred;>.  
6 14 #36. Page 71, line 13, by inserting after the word  
6 15 <recipient> the following: <of regulated records>.  
6 16 #37. Page 73, line 3, by inserting after the word  
6 17 <monitor> the following: <other>.  
6 18 #38. Page 73, by striking lines 11 through 17 and  
6 19 inserting the following: <opportunities in developing  
6 20 a network backbone infrastructure. The public and  
6 21 private entities involved shall structure the public  
6 22 and private networks comprising the backbone  
6 23 infrastructure in a manner that allows for seamless  
6 24 interoperability between the networks.>  
6 25 #39. By striking page 73, line 35, through page  
6 26 74, line 6, and inserting the following:  
6 27 <2. Each nursing facility in this state that is  
6 28 not recognized by the Internal Revenue Code as a  
6 29 nonprofit organization or entity shall submit to the  
6 30 department of public health and the legislative  
6 31 services agency, annually, the information required to  
6 32 be submitted by nonprofit nursing facilities pursuant  
6 33 to subsection 1. The department of public health, in  
6 34 cooperation with representatives of such nursing  
6 35 facilities, shall adopt rules regarding the format for  
6 36 submission of such information.  
6 37 3. With regard to the collection of information to  
6 38 be submitted pursuant to subsection 1 as applicable to  
6 39 each public hospital in the state, the department of  
6 40 management shall forward to the department of public  
6 41 health and the legislative services agency, annually,  
6 42 the certified budget for each public hospital.>  
6 43 #40. Page 74, by striking lines 19 through 25 and  
6 44 inserting the following: <department and the Iowa  
6 45 hospital association regarding the collection,  
6 46 reporting, disclosure, storage, and confidentiality of  
6 47 the data.>  
6 48 #41. By striking page 74, line 28, through page  
6 49 75, line 9, and inserting the following:  
6 50 <1. The community advisory council established by  
7 1 the Iowa healthcare collaborative referred to in  
7 2 section 135.40 shall convene a health care quality and  
7 3 cost transparency workgroup to develop recommendations  
7 4 for legislation and policies regarding health care  
7 5 quality and cost including measures to be utilized in  
7 6 providing transparency to consumers of health care and  
7 7 health care coverage.>  
7 8 #42. Page 75, by inserting after line 34 the  
7 9 following:  
7 10 <Sec. \_\_\_\_\_. MEMORANDUM OF UNDERSTANDING == IOWA  
7 11 HEALTHCARE COLLABORATIVE. The department of public  
7 12 health shall enter into a memorandum of understanding  
7 13 with the Iowa healthcare collaborative referred to in  
7 14 section 135.40. The memorandum of understanding shall  
7 15 include but is not limited to specification of the  
7 16 duties of the Iowa healthcare collaborative with  
7 17 respect to the utilization of funds appropriated by

7 18 the state.>  
7 19 [#43](#). By renumbering as necessary.  
7 20  
7 21  
7 22 \_\_\_\_\_  
7 23 JACK HATCH  
7 24 SF 389.702 83  
7 25 pf/rj/12028